

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
LEONIDES DUVERNY, :  
:  
Plaintiff, : 18cv7652 (DLC)  
-v- :  
: ORDER  
HERCULES MEDICAL P.C., ACHILLES :  
MEDICAL P.C., HYPERION MEDICAL P.C., :  
and GEOFFREY RICHSTONE, individually, :  
:  
Defendants. :  
:  
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DENISE COTE, District Judge:

On August 17, 2020, plaintiff filed a motion in limine to exclude the testimony of Dr. Charles McGowan. On that same day, the defendants requested that Dr. Charles McGowan be permitted to testify remotely. A telephonic final pretrial conference in this matter was held on October 29. The defendants further addressed Dr. Charles McGowan's testimony in letters of November 2 and November 4. On November 4, the Court held a further telephonic conference in connection with defendants' request to permit Dr. Charles McGowan's testimony. Having considered the parties' submissions and the record in this action, it is hereby ORDERED that the plaintiff's motion in limine to exclude Dr. Charles McGowan is overruled. Dr. Charles McGowan shall be permitted to testify before the jury.

IT IS FURTHER ORDERED that, finding that good cause and compelling circumstances exist for Dr. Charles McGowan to testify by contemporaneous transmission, he shall be permitted to testify by video. The defendants shall be responsible for arranging the video feed and ensuring a stable connection.

SO ORDERED:

Dated: New York, New York  
November 4, 2020

  
DENISE COTE  
United States District Judge